

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEMETRI STEVENSON,
SELECIA STEVENSON, JALANA
STEVENSON, ROBERT STEVENSON, and
JAMAR STEVENSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
January 25, 2005

v

FELISSA L. STEVENSON,

No. 255401
Genesee Circuit Court
Family Division
LC No. 02-114804-NA

Respondent-Appellant,
and

ANTHONY DIXON, JAMES CAMMON, and
REGGINALD MCCASKEY,

Respondents.

Before: Hoekstra, P.J., and Cavanagh and Borrello, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (j). We affirm.

The trial court did not clearly err in determining that the statutory grounds were proven by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The primary condition alleged in the original petition was respondent-appellant's drug abuse.¹ Respondent-appellant emphasizes her successful management of her drug abuse problem for the past eight months as proof that she had this condition or, at the very least, there was a reasonable likelihood that she would be able to rectify the condition within a reasonable

¹ Other allegations involved respondent-appellant's mental instability and inadequate care of the

time considering the ages of the children. However, the trial court viewed the previous eight months with more skepticism in light of a report from respondent-appellant's treatment center that showed that respondent-appellant's appointments at the center occurred only about once per month. In addition, the psychological evaluation indicated that respondent-appellant's prospects for ever being able to adequately parent the children were poor. In light of this evidence, the trial court did not clearly err in basing termination upon MCL 712A.19b(3)(c)(i). The trial court also did not clearly err in basing termination upon MCL 712A.19b(3)(j) since the evidence indicated a probable relapse, which would place the children at risk of harm if returned to respondent-appellant's care.

The trial court also did not clearly err in failing to find that termination was not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 356-357; 612 NW2d 407 (2000). Respondent-appellant argues that the best interests determination should not have been made because termination was not warranted pursuant to any statutory grounds. In light of this Court's conclusion that statutory grounds were established, respondent-appellant's argument fails. In addition, a review of the whole record does not demonstrate that termination was contrary to the children's best interests.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Mark J. Cavanagh

/s/ Stephen L. Borrello